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GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE NINETY-EIGHTH MEETING

Held at Headquarters, New York,
on Thursday, 13 September 1990, at 3 p.m.

President: Mr. GARBA (Nigeria)

later: Mr. HURST (Antigua and Barbuda)
(Vice-President)

- Policies of Apartheid of the Government of South Africa [28]:

  (a) Report of the Secretary-General

  (b) Report of the Special Political Committee

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The meeting was called to order at 3.25 p.m.

AGENDA ITEM 28 (continued)

POLICIES OF APARTHEID OF THE GOVERNMENT OF SOUTH AFRICA:

(a) REPORT OF THE SECRETARY-GENERAL (A/44/960 and Add.1-3);

(b) REPORT OF THE SPECIAL POLITICAL COMMITTEE (A/44/709/Add.1)

Mr. PENNANEACH (Togo) (interpretation from French): Speaking for the first time in this forum for dialogue and concerted efforts as the new Permanent Representative of Togo, I have the pleasure to extend to you, Sir, my delegation's appreciation for the competence with which you have conducted the proceedings of the forty-fourth session of the General Assembly. Your remarkable performance not only justifies our choice of you to preside over us, but also does credit to your country, Nigeria, with which my own enjoys the most friendly relations of co-operation. Your performance, Sir, does credit to the whole of Africa.

In the light of the profound, indeed spectacular, changes occurring in the world on the threshold of the third millenium, the survival of the pillars of apartheid is becoming an ever more repugnant anachronism. That is why the Government of Togo is particularly concerned by the persistence of a policy that represents both the denial of human dignity and a challenge we must not countenance to the capacity of the United Nations to promote and defend human rights. It also explains the imperative need to accelerate the complete and final eradication of the odious system of apartheid.

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(Mr. Pennaneach, Togo)

In that regard, the resumption of our session to examine the situation in South Africa is significant on several grounds, because it provides us with the opportunity to evaluate the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa.

The report of the Secretary-General on progress in the implementation of the Declaration has the merit of embracing a broad range of questions entailed by the dismantling of apartheid. Moreover, the report is further illustration of the Secretary-General's determination to strive to bring the parties to all conflicts together and to create between them a climate of confidence that can facilitate negotiations. It is my pleasure, therefore, to extend to him here the gratitude of my delegation.

The Group of African States at the United Nations has made a number of observations on the report of the Secretary-General on progress in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. Concerned as we are to be as vigilant and objective as possible in evaluating the situation in South Africa, those observations reflect the particular interest of the African States in seeing a full and scrupulous implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. In the light of the unswerving commitment of Togo to respect for human dignity, my delegation wishes to make its contribution to the debate on ways and means to accelerate the total and final dismantling of the odious system of apartheid.

The persistence of apartheid remains a matter of profound concern to my country, since the racial discrimination that underlies that system violates one of the fundamental principles of our Charter - respect for human dignity. Furthermore, the policy of apartheid poses a permanent threat to the stability of the region and to international peace and security. My Government has therefore

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always supported the efforts of the international community to prevail upon the South African Government to end its repugnant policy of apartheid.

The adoption of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, General Assembly resolution S-16/1, was an event of profound political significance in that it reflected the relaxation of tensions in the world and a unanimous condemnation of the abominable system of apartheid. At the same time, the adoption of the Declaration reflected a better understanding by the international community of the urgent need to use all available peaceful means to accelerate the total and final eradication of apartheid. The Declaration enshrines principles recognized and accepted by the international community, principles which, if they are implemented in good faith, will make possible a united, non-racial and democratic South Africa.

Analysing the report of the Secretary-General on progress in the implementation of the Declaration, we unfortunately see that, while the message contained in the Declaration has been heeded by the South African people as a whole, it has by no means been interpreted as it should have been by all the elements of the population, particularly by those in power. Of course, we must welcome the efforts made by various parties to eliminate the obstacles to the negotiations as identified in the Declaration of the sixteenth special session of the General Assembly. In this particular case, it is only right to pay a deserved tribute to the leaders of the African National Congress of South Africa (ANC) for the remarkable spirit of co-operation they have displayed by agreeing to suspend the armed struggle by their movement.

However, we must stress the absolute need to fulfil the pre-conditions for the start of negotiations and to achieve the related objectives. I hardly need remind members that the fundamental objective of the negotiations remains the complete eradication of the system of apartheid, which has continued far too long. That

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total eradication must be brought about by peaceful means and the establishment of a new, equitable and free socio-economic constitutional system.

In order to establish that new system, the following principles have been stipulated by the Harare Declaration of the Organization of African Unity (OAU) on the question of South Africa, adopted in August 1989, and also by the United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa. They include, first, the right of all South Africans to participate in government and in the conduct of the affairs of their country in accordance with the principle of universal sufferage - one man, one vote - within the framework of a single electoral role. Secondly, all must be able fully to enjoy the fundamental rights and freedoms laid down in the Universal Declaration of Human Rights. Thirdly, the sovereignty and territorial integrity of all States must be respected. Fourthly, a policy of peace, friendship and co-operation with all peoples must be pursued.

It is on the basis of those principles that all parties to the conflict must reach an agreement that will serve as the foundation for an acceptable settlement at the international level. To attempt to discard certain aspects of those principles, as seems to be the case when one reads the report of the monitoring group of the Ad Hoc Committee of the OAU on Southern Africa (document A/44/963 of 11 July 1990) is not, in my delegation's view, the most appropriate means of achieving that objective. To be truly credible and liable to promote lasting change, the willingness to enter into dialogue displayed by the South African Government must derive from the imperative need to prepare the way for the total and final eradication of apartheid.

That is why Togo supports all initiatives designed to extend and deepen the dialogue between the South African Government and the recognized leaders of the

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anti-apartheid struggle. That is also why the Government of Togo is of the view that all the various kinds of pressure must continue to be exerted on the South African leaders so that they will take the urgent measures necessary to repeal all repressive and discriminatory laws, to free all political prisoners, to extend the lifting of the state of emergency to Natal, and to ensure the free and full exercise of political activities.

(Mr. Pennaneach, Togo)

This unique phase in the history of the South African nation, a phase based on consent, must be approached with a genuine determination to reconstruct political and human society on the basis of justice, equity, the true exercise of human rights and respect for human dignity. It is our individual and collective duty here and now to remind those in the South African nation who are responsible for building the new future of South African society that there is no place now for small gestures of appeasement, and still less for disinformation.

The violent outbreaks causing such bloodshed among the black population of South Africa have unfortunately reminded us that so long as the true pillars of apartheid remain in place, so long as bantustans and material, moral and spiritual poverty persist, there will always be violence and fear.

In all we say and do let us remember that the conditions for dialogue exist. We must believe in the certainty of change, and not in the indications coming from those in authority. Let us think twice before adopting a conciliatory position; let us be suspicious of expediency: it would be to the discredit of our collective memory if the future were to say of us that to rid ourselves of the question of apartheid we took the easy way out.

Mr. COMISSARIO (Mozambique): It gives me great pleasure, Sir, to see you once again presiding over the General Assembly, which is meeting to assess the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. During your presidency we have witnessed important developments in the international arena. These events made your mandate highly demanding, and have made your tenure a source of great dignity for the African continent. I recall in that context the able and wise manner in which you presided over the sixteenth, seventeenth and eighteenth special sessions of the General Assembly. You will agree with me that we all expect a successful outcome on the item before us.

(Mr. Comissario, Mozambique)

The international community is called upon once more to discharge its historic responsibilities with regard to the issue of apartheid. In that context, we have carefully examined the Secretary-General's report (A/44/960) and other relevant documents on the issue. We should like to commend the Secretary-General for having provided us with such detailed information in his report. It truly helps us better to understand the intricacies of the situation in South Africa by providing us with an overall picture of the latest developments in that country, in particular since the adoption last December of the Declaration on Apartheid and its Destructive Consequences in Southern Africa.

We also share the view expressed by previous speakers that some significant political developments have taken place in South Africa. These include the release of some political prisoners including Mr. Nelson Mandela, the lifting of all bans and restrictions on all proscribed and restricted organizations and persons, in particular the legalization of political parties, and the partial lifting of the state of emergency. We are encouraged by those steps. Although we recognize the complexity of the situation in South Africa resulting from four long decades of white minority domination through the apartheid system, we firmly believe that much more could be done. The road towards the realization of the objectives enshrined in the Declaration on apartheid still remains long. The requirements spelt out in the Declaration have not yet been fully met. It is unfortunate to have to note that out of the five criteria contained in the Declaration unanimously adopted by this Assembly, which were designed to create a climate conducive to negotiations, only one has been fully met: the unbanning of political parties.

So far as the fulfilment of those criteria is concerned, the Declaration calls inter alia for the unconditional release of all political prisoners and detainees. In that regard, it is all the more important that decisive steps be taken by the South African Government for the release of all political prisoners and for

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allowing their full participation in the political process of their country. Regrettably, a number of political prisoners and detainees continue to be incarcerated.

The Internal Security Act is still in force, placing excessive and arbitrary power in the hands of the police. It is widely acknowledged that the maintenance of the Internal Security Act and other repressive legislation continues to be a major obstacle to the implementation of the objectives set forth in the Declaration. This situation casts a shadow on the prospects for the creation of a favourable climate conducive to genuine negotiations on the dismantling of apartheid.

The ongoing talks between the African National Congress of South Africa (ANC) and the South African Government on the elimination of obstacles to a negotiated settlement of the conflict in South Africa offer a real opportunity for further progress. The Groote Schuur and Pretoria minutes constitute a significant indication that apartheid can be eradicated through negotiated means if the parties concerned display the necessary political will. In that respect I wish to place on record my delegation's support for the decision taken by the ANC to suspend the armed struggle. I firmly believe that historic decision demonstrates the commitment of the ANC to pursue faithfully and peacefully the negotiations with the South African Government. Since the ANC has taken the decision to suspend the armed struggle, it is clear to all of us that the burden of proof lies now, as it has in the past, with the South African Government. It is incumbent upon the South African Government to act expeditiously on the necessary measures, so that the talks-on-talks phase can lead to substantive negotiations.

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On the other hand, we should like strongly to encourage all anti-apartheid forces in South Africa to pull their efforts together into a single united front to strengthen their ranks in their common struggle for the eradication of apartheid.

While we welcome the progress made so far in the search for a political solution in South Africa, we continue to note that the fact of the matter is that apartheid remains intact. In fact, the Group Areas Act, the Lands Act and the Populations Act, as has been emphasized, have yet to be repealed.

As in the past, the international community is requested to continue to play its role in the collective efforts for the eradication of apartheid. We need to be vigilant so that internal forces opposed to change in South Africa do not endanger the results achieved so far. Quoting from the Kampala Declaration of the Ad Hoc Committee of the Organization of African Unity (OAU) on southern Africa, the international community should

> "exert pressure on the apartheid régime to take swift and appropriate measures to put an end to the increasing acts of violence and terrorism perpetrated by the right-wing elements of the white community".

We are under an obligation to exert continued pressure on the South African Government to ensure the irreversibility of the process of change under way in South Africa. We should not allow those forces to roll back history in South Africa. It is in the interest of South Africa, of the region and of the international community as a whole that a non-racial, united and democratic South Africa be established, a South Africa in which all South Africans have the right to participate fully in the political life of their country through genuine elections based on universal suffrage.

The international community should maintain the existing measures against apartheid and refrain from taking actions that could encourage those forces in South Africa that continue to resist the abolition of apartheid.

(Mr. Comissario, Mozambique)

Another issue of great concern to my delegation is the continued escalation of violence in the townships, which has already claimed hundreds of human lives and caused extensive damage to property. My delegation fully agrees with the content of the agreement reached on this issue by the South African Government and the ANC on 6 August 1990, that it is

"vital that understanding should grow among all sections of the South Africa population that problems can and should be solved through negotiations".

These events place even more important obligations on the Government to assume its responsibility for the maintenance of public order. We are convinced that if the South African Government is really committed to that and if the police act in good faith there can be an end to the fratricidal violence.

As members will recall, the programme of action set out in the Declaration, inter alia, calls on the international community to render all possible assistance to the front-line and neighbouring States to enable them to rebuild their economies, which have been adversely affected by South Africa's acts of aggression and destabilization. In that connection I should like to express my especial gratitude to all those countries and organizations which have provided valuable support to the front-line States and other States in the region to help them withstand the destructive consequences of the policies of apartheid. We sincerely hope that assistance to the front-line States, the other neighbouring States, the liberation movements and other political forces will be continued and increased.

The prospects for peace in the region create appropriate conditions in which the international community can work on a comprehensive and integrated plan to assist the countries of the region to rebuild their economies, which have been severely devastated by war.

(Mr. Comissario, Mozambique)

As members are aware, alongside the efforts in the region to dismantle apartheid, other important efforts are under way to put an end to destabilization and to restore peace in the countries of the region. Currently, the Governments of Mozambique and Angola are deeply involved in tremendous efforts to restore peace and tranquillity in their countries, to normalize life and to bring about the profound democratization of their respective societies. It is important to ensure that those efforts are not jeopardized by malicious interference from outside. On the contrary, they deserve faithful and genuine support so they can lead rapidly to the achievement of their noble objectives.

Finally, I should like to reiterate our hope that the present deliberations will greatly contribute to our common endeavours to eliminate apartheid in South Africa and to bring about the peace, stability and co-operation so long cherished by the peoples of southern Africa.

Mr. MOUSSA (Egypt) (interpretation from Arabic): We are gathered here today to assess the progress in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, which was adopted unanimously on 14 December 1989 as the culmination of the work of the General Assembly at its sixteenth special session. We believe the starting-point for negotiations and the yardstick by which to gauge them must be the principles, objectives and guidelines set out in the Declaration, which expresses the genuine will of the international community and lays down a necessary programme of action for the elimination of the apartheid system.

There is no doubt that our evaluation must be based first and foremost on the events of the nine months since the adoption of that Declaration assessed through close monitoring of the developments within South Africa reflected in the comprehensive report of the Secretary-General, submitted on 1 July 1990 in

(Mr. Moussa, Egypt)

accordance with paragraph 10 of the Declaration, and on international and regional reactions, including that of Africa as set out in the communiqués from the meeting of African Heads of State or Government, held in July at Addis Ababa, the meeting of front-line States held earlier this month at Lusaka and the meeting of the Organization of African Unity's Ad Hoc Committee on Southern Africa, held on 8 September at Kampala.

(Mr. Moussa, Egypt)

We are unanimouly agreed on the need to put an and to the unacceptable situation that obtains in southern Africa as a direct result of the policies and practices of apartheid. We are unanimously agreed on the need for the complete and irreversible elimination of the system of apartheid, which is counter to all laws, norms and moral principles. The Declaration sets forth the means for solving that problem. It stresses the need for a negotiating process leading to a peaceful settlement, one that requires that the South African régime show its readiness to engage in genuine and serious negotiations resulting in the speedy establishment of a new constitutional order in the country and making way for a united, democratic and non-racial South Africa whose people would enjoy justice and security through the exercise of universal, equal suffrage by secret ballot.

The circumstances necessary for the initiation and success of such negotiations have been established. The present Government of South Africa is requested to release all political prisoners and detainees, to lift all bans and restrictions and to remove its troops from the townships, to end the stage of emergency and to cease all political trials. We are unanimously agreed that the present measures designed to compel the Government of South Africa to abolish the system of apartheid immediately and completely must not be relaxed until there is clear evidence of irreversible and profound change.

The international community is unanimous in its condemnation of the inhumane racist policies of the Government of South Africa. The international community has rightly labelled those policies a crime against humanity and has imposed sanctions and brought pressures to bear to compel that Government to abandon such policies and to put an end to this affront to humanity at the end of the twentieth century. Together with the struggle of our brothers in South Africa, such pressures have been effective and have made the cost of maintaining apartheid unbearably high.

(Mr. Moussa, Egypt)

They have made the ruling minority in South Africa realize the futility of resisting the rising tide of history and of challenging the indomitable will of the people.

It is fitting to mention here the courage evinced by the current leadership in Pretoria and the fact that it has taken a number of steps and introduced a number of changes that can establish an atmosphere conducive to negotiations on constitutional reform with all other parties in South Africa. The unbanning of the national movements struggling against apartheid, the release of political prisoners, foremost among whom is Nelson Mandela, the initiation of dialogue with the African National Congress of South Africa (ANC) and other popular parties, the rescinding of some of the discriminatory laws and, finally, the partial lifting of the state of emergency, are all changes and measures that we believe constitute first steps towards preparing for serious negotiations on constitutional reform and on the irreversible and final eradication of the policies of apartheid.

That is the fixed and unchanging goal. We join the international community in welcoming those positive developments, which deserve encouragement. They have opened up a new horizon in South Africa and augur well for a solution to the crisis in the near future, given the fact that the ANC has decided to suspend its armed struggle to give peaceful and democratic transformation a chance. Nevertheless, we must deal with such changes with necessary caution and vigilance, since they continue to fall short of fulfilling the conditions set forth in the Harare Declaration and in the Declaration adopted by the General Assembly at its sixteenth special session.

The Government of South Africa must demonstrate the sincerity of its desire for a peaceful settlement of its racial crisis, for the elimination of the policies of apartheid and for the achievement of peace and security for all its citizens,

(Mr. Moussa, Egypt)

without distinction. The restriction of peace and security to a certain community can only result in depriving all communities of such peace and security. The restriction of peace and security to a certain community can only result in depriving all communities of such peace and security. Wisdom makes it incumbent upon that Government to take immediate steps to rescind all discriminatory laws, foremost among which are the five pillars of apartheid, and to provide equal and free opportunity for all parties to express their views of the future and to participate in the decision-making process leading to a new tomorrow.

We call upon the Pretoria Government to discharge its duty to control the abominable violence that is still raging in some parts of that country, thus undoubtedly preventing the situation from moving with the necessary speed towards a peaceful settlement. We also believe that the restoration of stability to those areas of the country is the duty of all parties and the obligation of all citizens. The long disagreement between peoples must not forestall attempts to build mutual trust or to engage in purposeful, constructive dialogue to come up with a formula that would ensure the rights of the people of South Africa and the country's social stability as well as guarantee the aspirations of all to a dignified future and build a new society, free from racism, in which democracy and peace would prevail.*

In conclusion, allow me to express my thanks to the Secretary-General for his comprehensive and valuable report. I should also like to pay a tribute to the Special Committee against Apartheid and its Chairman for the effective role it has played in keeping world public opinion informed of the just cause of the black South African majority and in mobilizing and co-ordinating international efforts against apartheid. We hope that the Special Committee will continue with its

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* Mr. Hurst (Antigua and Barbuda), Vice-President, took the Chair.

(Mr. Moussa, Egypt)

excellent and dedicated work until the deprived majority regains its usurped rights. We believe that the achievement of that goal is now closer than ever before.

Mr. MARKER (Pakistan): Allow me to begin by conveying to the President the sincere appreciation of my delegation for convening this resumed forty-fourth session of the General Assembly. This is indeed an opportune time to evaluate the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted at the sixteenth special session of the General Assembly. The recent changes in the global political landscape, accompanied by the surge of manifestations of fundamental freedoms and the renewed emphasis on the respect for human rights, make it imperative that the international community should accelerate its campaign to achieve the total elimination of apartheid.

The United Nations has repeatedly affirmed that the policy of apartheid is a crime against humanity incompatible with the Charter of the United Nations and the Universal Declaration of Human Rights and that it seriously undermines international peace and security. It has also affirmed that the total eradication of apartheid and the creation of a free, united and democratic system constitute the necessary steps towards the establishment of a non-racial society based on self-determination and majority rule through free and fair elections.

(Mr. Marker, Pakistan)

The adoption by consensus of the historic Declaration on Apartheid at the sixteenth special session of the General Assembly last year underlined the urgent need to transform South Africa into a non-racial democracy through a new constitutional order determined by the people of South Africa and based on the Charter on the United Nations and the Universal Declaration of Human Rights. The Declaration spells out clearly the vision of a new South Africa and the foundations on which it is to be built.

The Secretary-General and his team, led by Mr. Abdurahim Farah, Under-Secretary-General for Special Political Questions, have accomplished a creditable task in gathering factual information on the recent measures taken and proposals made for bringing about an end to the apartheid system. My delegation would like to thank the Secretary-General for that valuable contribution.

The report of the Secretary-General and the recent developments in South Africa encourage us to view the future with some hope. The release of Nelson Mandela and other political prisoners, the removal of the ban on political organizations and the partial lifting of the state of emergency are the first steps towards the process of negotiations for determining the political future of South Africa. Those developments, however, do not go far enough and should not distract the international community from the fundamental and stark reality of apartheid that continues to persist in all its wickedness. They do not, in the view of my delegation, constitute an "evidence of profound and irreversible changes", as visualized in section C of the Declaration and, therefore, do not provide any justification for relaxing international pressure against South Africa.

As stated in the report of the Secretary-General, the pillars of apartheid remain in place. The Population Registration Act of 1950, the Native Land Act of 1913, the Group Areas Act of 1966 and the Homeland Citizenship Act, which

(Mr. Marker, Pakistan)

constitute the statutory basis upon which apartheid was erected, are still in force. The national liberation movements have even expressed reservations with respect to the measures listed in paragraph 6 of the Declaration. On the question of the release of political prisoners and detainees, the liberation movements consider that thousands of political prisoners continue to remain incarcerated. In regard to the lifting of the emergency the liberation movements have noted that the emergency was still in force in Natal, thus inhibiting political activity. As Mr. Nelson Mandela himself stated:

"A lot still remains to be done before we can say that a climate conducive to negotiations has been created."

The provisions of paragraph 6 of the Declaration represent the minimum that can be acceptable for the creation of a climate conducive to negotiations. The Secretary-General's report clearly establishes that those provisions remain unfulfilled. The steps taken by Pretoria will continue to lack credibility as long as related pieces of legislation designed to circumscribe political activity remain operational, as long as troops remain empowered to enter townships and as long as political trials continue in one form or another. Those are matters of grave and continuing concern, and what would otherwise be a dismal situation is relieved only by the vision and forbearance displayed by Nelson Mandela and his compatriots in maintaining a dialogue with the Pretoria régime despite long years of injustice, oppression and incarceration.

My delegation is deeply concerned at the recent escalation in the protacted violence in the province of Natal. That can prove to be an obstacle to the creation of an appropriate climate for negotiations. It is even more distressing to note that certain elements of the police and other law-enforcement agencies are reportedly assisting, supporting and arming the members of the Inkhata movement,

(Mr. Marker, Pakistan)

which is deliberately provoking violence in the region. The lack of impartiality has become a major impediment to the achievement of a peaceful settlement in Natal. It is equally important that the state of emergency, which continues to be imposed in Natal province, be lifted forthwith and troops withdrawn from the area or their peace-keeping functions clearly defined.

To us in Pakistan the evil doctrine of apartheid represents the very antithesis of our faith. In Islam all men are equal before God, regardless of race, colour or creed. In the eyes of Muslims, and in those of all people of conscience, the evil practice of apartheid is not only a flagrant violation of the basic rights and dignity of man but also the subversion of our glorious religion. Equality, fraternity and the brotherhood of man are not only principles of morality, humanity and civilized behaviour; they are an article of our faith.

Pakistan has always condemned the abominable policies of apartheid and racial discrimination. Pakistan has imposed comprehensive trade sanctions against South Africa, and no Pakistani transnational corporation is operating in or has any investments in South Africa. No landing and passage facilities are given to South African aircraft, and all our ports are closed to vessels flying the South African flag. The sale of arms, ammunition and all types of military vehicles and other strategic goods to South Africa was banned even before the adoption of Security Council resolution 418 (1977). Cultural, educational and sports exchanges remain suspended. Those measures will stay in force as long as the odious system of apartheid is not fully dismantled and a government based on the wishes of the majority established. It is our view that apartheid cannot be reformed: it must be eradicated completely and in all its aspects. We are confident that the supreme sacrifices of the freedom fighters of South Africa will ultimately result in the abolition of apartheid and the restoration of the fundamental freedoms and human rights of the people of South Africa.

(Mr. Marker, Pakistan)

The consensus adoption of the Declaration was indeed a telling blow to the apartheid system and a vital manifestation of the unity of purpose of the world community. That consensus must be maintained in the struggle for equality and freedom in South Africa. We must not allow the image of reform to hide the reality of that despicable relic of a cruel colonial age. It is imperative that the struggle of the people of South Africa not be compromised by any weakening of the international resolve to put an end to one of the darkest chapters in the annals of human history. There is a Czech proverb that is particularly apposite in our present situation. It states: "Do not praise the day until the evening."

Mr. ORDONEZ (Philippines): Allow me at the outset to express my delegation's deep pleasure at seeing Mr. Garba presiding again over the deliberations of the forty-fourth session of the United Nations General Assembly. He has brought to the presidency a wealth of experience and consummate diplomatic skills. His great country, Nigeria, and his diplomatic career have been inextricably intertwined with the noble struggle against apartheid. We are confident that, with his wisdom, this resumed session on the question of apartheid will have far-reaching effects on the fate of the people of South Africa.

The processes of change have been set in motion in South Africa, where the apartheid system obtains and remains. We are at a juncture where it is essential to examine the situation in that country and assess the progress of the implementation of the historic Declaration on Apartheid and its Destructive Consequences in Southern Africa that was unanimously adopted by the General Assembly last December. Using our collective assessment as a basis, we will recommend the actions necessary to accelerate the pace of eradicating apartheid permanently and completely.

(Mr. Ordonez, Philippines)

The comprehensive report of the Secretary-General on the progress of the implementation of the Declaration serves as an insightful and excellent guide in our assessment. I take this opportunity to express the sincere thanks and appreciation of the Philippine delegation to the Secretary-General for submitting the report before us, which portrays the current situation in South Africa and which reflects the various positions of all the parties and groups involved in the processes taking place there.

Since the adoption of the Declaration, important developments have taken place in southern Africa and elsewhere. We in the United Nations took part in leading Namibia to its long-overdue independence. In South Africa, the momentum for change began: in February this year, President De Klerk announced measures towards reform. Political organizations were unbanned, including the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania (PAC). Many political prisoners were released.

Nelson Mandela, the greatest symbol of resistance against apartheid, gained his freedom and the Philippines joined the world rejoicing at his release. The international community noted in June the lifting of the state of emergency in most of South Africa, except in Natal province and the KwaZulu homeland. Then the South African Parliament adopted the Discriminatory Legislation regarding Public Amenities Repeal Act, but the most far-reaching development was the initiation of "talks about talks", the meeting last May in Groote Schuur, Cape Town, between the representatives of the African National Congress and the South African Government, convened to remove obstacles to the eventual negotiations on the fate of South Africa. These developments are indeed welcome and crucial. The yardstick, however, by which we should measure the progress in creating a climate conducive to negotiations remains the conditions laid down by the Declaration.

(Mr. Ordonez, Philippines)

In issuing the report, the Secretary-General observed that although the process of change in South Africa had started, it was still at a preliminary stage. The Philippines shared this view when the Special Committee against Apartheid, of which it is a member, stated in July that profound and irreversible changes in South Africa are yet to take place. Indeed, more needs to be done before negotiations to transform South Africa into a non-racial democracy actually begin. The basic pillars of the apartheid system, which remain intact, such as the repressive security regulations, the Group Areas Act, the Population Registration Act and the Lands Act must be brought down. At the same time, the escalation of violence in Natal and in some other areas must be stemmed and its causes stamped out.

For its part, the Philippines is committed to the fundamental principles provided for in the Declaration and views those principles as constituting the basis for an internationally acceptable solution to the eradication of apartheid in South Africa. The processes taking place in South Africa should culminate in the drawing up of a new constitution based on the Charter of the United Nations and the Universal Declaration of Human Rights. In particular, the Philippines shares the vision of the international community of transforming South Africa into a united, non-racial and democratic society.

The Philippines is in full accord with the guidelines to the process of negotiations and the programme of action in the Declaration. Given the necessary climate, the people of South Africa may negotiate the future of their country in an atmosphere free of violence. In this regard, the Philippines believes that the sanctions against South Africa should not be relaxed until there is clear evidence of profound and irreversible change in South Africa.

(Mr. Ordonez, Philippines)

The future offers hope that South Africa may build a future vastly different from its past. The steps are now being taken. The way will not be easy, strewn as it is with obstacles.

But with strong resolve and patience, the people of South Africa now face the prospect of a future in a new era of peace, free from apartheid, and with justice for all South Africans.

Mr. GHAREKHAN (India): At our special session last December, we adopted a Declaration which was truly a milestone in the United Nations contribution to the struggle against apartheid. The Declaration encouraged the people of South Africa to join together to bring about an end to apartheid and to work for a peaceful transition to a non-racial, democratic South Africa. It set out the conditions necessary for the creation of a climate for negotiations. It also outlined the guidelines for negotiations and the fundamental principles on which to base the constitutional order of the new South Africa.

The significance of the Declaration lay in the fact that it was adopted by consensus. It was the first time that the international community had co-operated in issuing a major Declaration calling for the eradication of apartheid. It sent a clear signal to Pretoria that real change was necessary and that Pretoria could not count on any divided vote or opinion to procrastinate in the matter.

In the last nine months since the adoption of the Declaration, the South African Government has taken some welcome and overdue measures to rectify the many abuses inherent in the system: the release of Nelson Mandela was one such measure of importance. The release of some other political prisoners, the unbanning of political organizations, the partial lifting of the state of emergency, and the establishment of contacts with the liberation movements were some of Pretoria's other measures. We welcome these developments as an expression both of Pretoria's

(Mr. Gharekhan, India)

recognition of the injustices of apartheid that need to be eradicated, and of Pretoria's acceptance of the demand of the world community and of the majority in South Africa for steps towards beneficial change in the country. However, these measures, significant as they are, meet only part of the conditions set out in the Declaration. Most of the measures required to be taken by the South African Government for the creation of a climate for meaningful negotiations have yet to be fully implemented.

Thousands of political prisoners continue to languish in gaols and several, including children, remain in detention. Despite the removal of the ban, political organizations are still not able to engage in free political activity because of several restrictions. The state of emergency has not yet been lifted in Natal, and repressive legislation, such as the Internal Security Act, remains not only in force, but also in use. The pillars of apartheid, such as the Group Areas Act, the Land Acts and the Population Registration Act remain intact. The agreement reached between the African National Congress of South Africa (ANC) and the South African Government after their latest round of talks in Pretoria last month appears encouraging. It remains to be seen what concrete results it produces. For the present, we cannot but conclude, as the Secretary-General observes in his report:

> "the political process towards the dismantlement of the apartheid system is still at an early stage". (A/44/960, para. 16)

There is, in other words, still a long way to go.

It is evident that the change that has taken place so far in South Africa, even if indubitably noteworthy, has not yet become irreversible. The basic structures of apartheid remain firmly in place and so do the socio-economic inequities and the racial attitudes which have been nurtured by decades of racial hatred, suspicion and injustice.

(Mr. Gharekhan, India)

Of course, it needs patience, understanding, time and statesmanship on the part of all concerned before the decades old hostilities and deep mistrust can be reduced, let alone eliminated. The healing touch, the building up of confidence and trust in each other, is as important as concrete steps in dismantling apartheid's stockades. The majority of the South African people have for long favoured a political settlement. The announcement by the African National Congress of South Africa (ANC) last month of the suspension of all armed action once again demonstrates their preference for the peaceful end of apartheid through negotiations. We pay tribute to their vision and forebearance, and call upon the South African Government to move speedily towards a negotiated settlement, as provided for in the United Nations Declaration.

The escalating violence in Natal and elsewhere in South Africa is a matter of grave concern. It has resulted primarily from the continued existence of the apartheid policies and practices pursued by the Government. Apartheid divides people and breeds violence; indeed it can only be sustained by violence. It is evident that the Government has so far done little to end this violence. If the Government is sincere in its proclaimed commitment to dismantle apartheid and to bring about peaceful change, it must discharge its responsibility to stop the killings, to stop taking sides, which only encourages violence, and to work for urgent restoration of normalcy.

The limited progress which we have seen in the last few months in the resolution of this long-standing inhuman problem is a testimony to the tireless and steadfast struggle of the people of South Africa. Their struggle has not flinched from the repressive measures of the police, or of other elements of apartheid's repressive machinery, nor of the extreme right-wing vigilante groups. Despite terror, deprivation and danger, the struggle against heavy odds has been maintained. We in India have always identified with the just cause of the

(Mr. Gharekhan, India)

oppressed in South Africa. I should like to take this opportunity to reaffirm our continued solidarity with the people of South Africa in their struggle for the complete elimination of apartheid and for the establishment of majority rule on the basis of universal equal suffrage, under a non-racial voters' roll, and by secret ballot, in a united and non-fragmented South Africa.

The international community has a special responsibility to ensure that the process which has been set in motion in South Africa is carried to its logical conclusion. There is ample evidence that the sanctions have worked. These must continue to be effectively and vigorously implemented. To relax the pressure on South Africa at this stage would be premature, inappropriate and imprudent. There is need for continued determination, vigil and caution, especially when such determination has brought dividends. We decided by consensus last December not to relax the existing measures against South Africa until there was clear evidence of profound and irreversible changes. This consensus must be preserved. The international community must not deviate from the unity of its purpose and commitment to eradicate apartheid and pursue its efforts until that final objective is achieved.

Mr. SUTRESNA (Indonesia): The delegation of Indonesia is pleased to see you, Sir, presiding over the resumed forty-fourth session of the General Assembly in connection with the Secretary-General's report concerning the implementation of the Declaration on Apartheid and Its Destructive Consequences in Southern Africa. We view it as a unique opportunity for the international community to observe closely the situation prevailing in South Africa and in unity to express itself decisively before this body. It is only through our collective action that we can compel the Pretoria régime to eradicate the pillars of apartheid without delay.

(Mr. Sutresna, Indonesia)

To gain a proper perspective of the pressing problem under discussion today, we must be clear about the existing conditions in South Africa. In this regard, the Secretary-General's report affords us the opportunity of making a first-hand assessment on the latest developments. It has laid to rest the myths of profound and irreversible changes that were expressed in some quarters. In fact, beyond the glossy rhetoric and statements of intention by the Pretoria régime, the report concludes that the process of change is at a very preliminary stage. In this context, it reflects the sentiment that:

"a substantial body of public opinion is anxious to see that the process for the dismantlement of the apartheid system be accelerated." (A/44/960, para. 14)

My delegation welcomes the Secretary-General's report and agrees with its principal observations and conclusions.

It is self-evident that despite the euphoria of the moment with the release of Mr. Nelson Mandela and the unbanning of the political parties and movements, the hard reality remains that normal political activity continues to be hindered by the bulwark of an entrenched system of apartheid. In order to create the necessary climate for negotiations, it is imperative that the South African Government implement all the provisions laid down in the Declaration on Apartheid and its Destructive Consequences on Southern Africa which was adopted by consensus at the conclusion of the sixteenth special session of the General Assembly. This historic document clearly spells out the vision of the international community for a new South Africa and calls specifically for non-relaxation of existing measures until there is clear evidence of profound and irreversible changes in the country.

In compliance with the requirements of the Declaration, the racist régime must take effective action to end the partial state of emergency, release all political prisoners, halt all political trials and repeal all repressive legislation. Indonesia is gravely concerned over the plight of the political prisoners and

(Mr. Sutresna, Indonesia)

detainees who continue to languish behind prison walls. The situation is especially grim considering the régime's pronouncement that:

"people serving sentences merely because they were members of one of the previously banned organizations or because they committed another offence which was merely an offence because the prohibition on one of the organizations was in force, will be identified and released". (A/44/960, p. 91)

However, in practice the South African Government has limited the detention of political prisoners successfully to restrict their release. It is distressing that since the adoption of the Declaration, negligible efforts have been made to implement necessary reforms, to cease the practice of detention without trial and to release political prisoners unconditionally.

As we are aware, the magnitude of the legacy of apartheid, especially the scars of violence and the polarization of social, economic and political life in South Africa, have all left their indelible mark. Without a firm commitment by the minority Government to a common future for the majority of its people, South Africa could plunge into an abyss of violent consequences. Regrettably, recent reports of civil strife in townships have added a tragic dimension to the pain and suffering of the people. It is apparent that the odious policies of apartheid have heightened tension among these communities and released negative reactions. The Pretoria régime must urgently redress the situation and adopt effective measures to prevent the recurrence of these unfortunate events. In this regard, the authorities must ensure that the unlimited powers entrusted to the police should not inflame the present conflict. An escalation of violence could endanger the climate necessary for negotiating an end to racial bigotry.

(Mr. Sutresna, Indonesia)

As an active member of the Special Committee against Apartheid and the Intergovernmental Group to Monitor the Supply and the Shipping of Oil and Petroleum Products to South Africa, Indonesia reiterates its unflinching support of the valient South African people in its struggle to eradicate the unjust and anachronistic system of racial discrimination and thereby bring justice and equality based on majority rule. Indonesia will maintain its consistent support in upholding the current sanctions against the Pretoria régime. In order to strengthen the oil embargo, the Intergovernmental Group has recommended that the international community enact legislation effectively to prohibit oil and petroleum products to South Africa. In that regard, Indonesia extends to the Group its utmost co-operation in the co-ordinated enforcement of the embargo against the régime.

My delegation maintains that any optimism of the present climate cannot overshadow our commitment to giving full support to the parties concerned, who will negotiate the final eradication of apartheid. To ensure that process, however, international pressure on South Africa through comprehensive sanctions and other appropriate measures must remain in place for as long as required. The words of wisdom of Mr. Nelson Mandela in his historic statement to the Special Committee in June 1990 reflect our sentiments accurately:

> "It is that nothing which has happened in South Africa calls for a revision of the positions that the Organization has taken in its struggle against apartheid. We therefore strongly urge that there should be no relaxation of existing measures. The sanctions that have been imposed by the United Nations and by individual Governments should remain in place."

At this critical juncture, the ongoing negotiations between the South African Government and the leaders of the majority of its population will determine their country's future. Indonesia is hopeful that the present climate holds promise for

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the dismantling of apartheid. South Africa has now witnessed sweeping global changes. From the dramatic developments in Eastern Europe to the collapse of colonialism and the march to independence of the last colony on the African continent, those historic events will undoubtedly increase pressure on Pretoria to move forward speedily towards the peaceful abolition of the apartheid system. The Secretary-General in his latest report on the work of the Organization aptly stated that:

> "The opportunity has arrived for it to chart a courageous new course that will allay all fears about its intent and put an end, once and for all, to the oppression and violence that the system of institutionalized racial discrimination and minority rule inevitably entails." (A/44/1, p. 7)

We should remain vigilant in monitoring progress and thus facilitate the transition of South Africa from racial bigotry to a society characterized by harmony. It is inevitable that the united efforts and perseverance of the international community will succeed in breaking down the pillars of apartheid and culminate in the attainment of a democratic and non-racial society for the South African people.

Mr. O'OBRIEN (New Zealand): Nine months ago, at the sixteenth special session of the General Assembly, we unanimously endorsed a Declaration on Apartheid and its Destructive Consequences in Southern Africa. That Declaration stands as a clear and unequivocal statement of the international community's abhorrence of the system of apartheid and an expression of our united will to encourage the South African Government speedily to bring apartheid to an end. This resumed session affords the opportunity to maintain the international spotlight on apartheid, to consider developments in South Africa, and to take stock of the implementation of the Declaration.

(Mr. O'Brien, New Zealand)

It is important that we do that now. Other major international events are preoccupying the United Nations at this time. But they must not be allowed to distract us from our objective of keeping the pressure on South Africa to break clearly and unequivocally with the shameful past and to bring a rapid end to the apartheid system.

The New Zealand position is resolute. We consider that apartheid remains an affront to human dignity. It brutalizes those who are subject to it and those who enforce it. New Zealand rejects apartheid and all it stands for. Our conviction flows from our experience as a multiracial democratic society that places paramount importance on the maintenance and enhancement of race relations. It is a task, as we know, that requires constant care, commitment and good will by all in society.

The report of the Secretary-General's fact-finding team provides a useful basis to take stock. It concludes that South Africa has reached the threshold of a new era that offers hope that we are witnessing the beginning of a process that will lead to a multiracial democratic South Africa.

New Zealand acknowledges that some important changes have occurred in the past nine months. Political prisoners have been released, political organizations have been unbanned, the Separate Amenities Act has been abolished and the state of emergency has been ended in all areas except Natal. Two important series of talks have concluded successfully. Nelson Mandela has been freed.

But Nelson Mandela and 80 per cent of his fellow countrymen are not free to vote in their own country. They remain subject to the legislative edicts that shore up the apartheid system. As several speakers have said before me, the Internal Security Act still provides the South African Government with the means to suppress black political opinion. Violence and the intransigence of right-wing extremists threaten to derail the process only just begun. In that regard, we

(Mr. O'Brien, New Zealand)

reinforce the observations made in the Secretary-General's report about the need for confidence-building measures to reduce political-related violence, and address the social and economic problems faced by the black population.

It is true that President De Klerk has said that apartheid must go. He has committed his Government to repealing the legislative pillars of apartheid. Some have been quick to want to reward those intentions and the partial changes that have taken place so far. The New Zealand Government's view is that it will believe that fundamental and irreversible change has occurred, not when it is promised but when it is seen to exist, and when those who suffer under apartheid confirm to us that change has indeed occurred.

Consistent with that view and with the assessment of the Commonwealth Committee of Foreign Ministers on Southern Africa that to relax sanctions now would be to abort the process of change that has just begun, New Zealand will maintain sanctions against South Africa and stands ready to strengthen them if that is deemed necessary.

In short, our view is that the international community should not relax sanctions prematurely. We must at all costs avoid sending the wrong signals to South Africa that the changes made to date meet what the Assembly deems to be the absolute requirement for fundamental transition. So far, those changes fall well short of profound and irreversible change.

It is our fervent hope that South Africa is not only, in the Secretary-General's words, at the threshold of a new era, but that with the inspiration of Nelson Mandela and all those committed to peaceful change, that era will become a reality sooner rather than later.

Mr. LI Daoyu (China) (interpretation from Chinese): The Chinese delegation wishes to congratulate General Garba on his presidency of this resumed forty-fourth session of the General Assembly. We are confident that under his able guidance this important session will be successful.

At its sixteenth special session, last year, the General Assembly adopted by consensus the Declaration on Apartheid and its Destructive Consequences in Southern Africa. This was a new milestone in the struggle waged by the international community, and the African countries in particular, to dismantle the apartheid system; it gave expression to the firm will and determination of the international community. We appreciate the efforts of the Secretary-General in implementing the Declaration and are grateful for his comprehensive report, which helps us gain a better understanding of the situation in South Africa and the problems calling for urgent solutions. It is our hope that this resumed session will make a correct assessment of the situation in South Africa and take further steps to promote more effective implementation of all the provisions of the Declaration.

At present the situation in southern Africa has undergone great changes. The independence of Namibia is an important historical event which marks the end of colonialism in the entire African continent and, at the same time, serves as a great inspiration to the anti-apartheid struggle of the South African people. Since the adoption of the Declaration, the situation inside South Africa has also undergone some positive changes, and new progress has also been made in the people's struggle. All this is gratifying. However, what is very clear is that the South African authorities have not fundamentally abandoned their policy of racial discrimination and apartheid. As is pointed out in a document issued earlier by the African Group at the United Nations, "there has not been any fundamental or irreversible change in South Africa".

(Mr. Li Daoyu, China)

Under such circumstances, the international community cannot but maintain its pressure on the South African authorities so as to compel them to abandon apartheid.

The United Nations Declaration on Apartheid and its Destructive Consequences in Southern Africa has, in explicit terms, provided the fundamental principles, the programme of action and the guidelines for the negotiation process to be followed in achieving a comprehensive solution to South Africa's political and social problems. In accordance with the Declaration, the final objective of and the key to a political settlement of the South African question is the complete elimination of the apartheid system, so that South Africa would become a united, non-racial and democratic country where all its people, regardless of race, colour, sex and creed, would enjoy equal citizenship and nationality.

Since the Declaration was adopted, the African National Congress of South Africa (ANC) and the Pan Africanist Congress of Azania (PAC) and the other anti-apartheid organizations in South Africa have made major efforts to ensure a political settlement and thus have won wide praise and support from the international community. The South African authorities, however, have not shown a genuine willingness to change course, nor have they made a due response in regard to a political settlement. They are even half-hearted about implementing the provisions of the Declaration pertaining to the creation of the climate for negotiations.

For instance, among the five conditions the Declaration asks the South African régime to meet, at the very least, in order to create a climate for negotiations it has met only one - namely, lifting bans on political organizations. Even so, repressive legislation remains in force in South Africa, especially the Internal Security Act, which continues to hamper normal political activities.

We are of the view that the South African Government is duty-bound to give priority to the full implementation of the five conditions. Moreover, on two

(Mr. Li Daoyu, China)

fundamental principles - namely, the right of all the South African people to participate on the basis of universal and equal suffrage, under a non-racial voters' roll, and the creation of an economic order that will promote and advance the well-being of all South Africans - the South African Government has thus far shown no good faith for the realization of those principles. In introducing his report to the General Assembly on 20 July this year, the Secretary-General pointed out that although the action taken by the South African Government to lift the ban on political parties and movements was significant, other essential measures remained to be fulfilled in their entirety. In light of this, we demand that the South African authorities strictly implement the provisions of the Declaration and carry out negotiations in good faith and in real earnest.

Recently, incidents involving violence have been on the rise in certain parts of South Africa. This is something we are extremely concerned about. These incidents are primarily a result of the continued existence in that country of the apartheid policies, for which the South African Government has an unshirkable responsibility.

Given the current international situation, we believe that all favourable conditions should be put to use in order to promote an early and just settlement of the South African question so as to dismantle the apartheid system once and for all and bring peace and stability to the southern African region. The positive changes in the regional situation are the outcome of the protracted struggle of the people in that region. At present the international community should give even more vigorous support to the anti-apartheid struggle of the South African people, and to the reasonable propositions of the anti-apartheid organizations in South Africa and other African countries. At the same time, it should urge the South African authorities to go along with the historical trend and help solve the South African question by following the provisions of the Declaration.

(Mr. Li Daoyu, China)

The settlement of the South African question is now at a crucial moment. We call on the international community not to slacken its pressure but, instead, to continue effective sanctions against the South African authorities so as to compel them to implement the provisions of the Declaration.

China remains, as always, firmly opposed to the apartheid system practised by the South African authorities and has always supported the just struggle of the South African people, of the ANC and the PAC and other organizations. In the coming years China will continue, until they win complete victory, to give unswerving support to their lofty cause of putting a final end to the apartheid system.

Mr. NYAKYI (United Republic of Tanzania): The historic Declaration on Apartheid and its Destructive Consequences in Southern Africa was adopted by the sixteenth special session of the General Assembly under the presidency of General Garba. The Tanzanian delegation is delighted to see him presiding over our deliberations at this resumed session, on the implementation of that Declaration. We are confident that the success achieved under the presidency of General Garba last year will inspire our deliberations at this resumed forty-fourth session of the General Assembly.

In December last year the General Assembly adopted, by consensus, the Declaration on Apartheid and its Destructive Consequences in Southern Africa. In that Declaration the international community laid down five pre-conditions which the Pretoria régime had, at the very least, to meet in order to create a climate conducive to negotiations aimed at eradicating the abhorrent system of apartheid. Because compliance or otherwise with these conditions is the yardstick by which progress towards the goal of eradicating apartheid has to be measured, it is pertinent to restate these conditions. They required the régime to: release all political prisoners and detainees unconditionally and refrain from imposing any restrictions on them; lift all bans and restrictions on all proscribed and restricted organizations and persons; remove all troops from the townships; end the state of emergency and repeal all legislation, such as the Internal Security Act, designed to circumscribe political activity; and, finally, cease all political trials and executions.

These conditions were designed to send a clear and unequivocal message to the régime in Pretoria as to what the international community required of it. The fact that the Declaration in which these conditions are set was agreed to by all States Members of the Organization, and that it was adopted by consensus, serves to underline the importance of that message.

(Mr. Nyakyi, United Republic of Tanzania)

To enable the Assembly to decide whether or not the régime had complied with the requirements of the Declaration, the Secretary-General was asked to produce a report on the implementation of the Declaration. This has been done and, as we all know from our reading of his report, the Secretary-General makes it clear that the five pre-conditions fulfilment of which was aimed at paving the way for negotiations to end apartheid have not yet been met.

It is true that a number of measures that can be said to be steps in the direction urged by the Assembly in its Declaration have been taken. For example, the release of Nelson Mandela and other political prisoners and the unbanning of and lifting of restrictions on political parties and a number of other organizations have been rightly welcomed worldwide as positive steps. The world has also taken note of the partial lifting of the state of emergency and the repeal of the Separate Amenities Act. However, these measures do not fulfil the prerequisites set out in the Declaration for the establishment of a climate conducive to negotiations. Indeed, they fall very far short of the goal. As the Secretary-General has observed in his report, only one pre-condition - that is to say, the one calling for the unbanning of political parties and organizations - has been fully met. And it should be noted, in passing, that even this measure has not yielded the benefits expected. As the evidence presented to the United Nations Team that visited South Africa amply demonstrates, these benefits have been vitiated not just by the all-pervasive nature of the apartheid system but also by the actions of the régime deliberately intended to negate the positive effects of the changes.

The evidence shows that, whilst in theory the bans and restrictions on those organizations and persons have been removed, the application of a myriad of repressive legislation, such as the Internal Security Act, the Suppression of

(Mr. Nyakyi, United Republic of Tanzania)

Communism Act, and others, has enabled the régime to achieve the very results that the lifting of the bans and restrictions was supposed to obviate. We all know, for instance, that as recently as last month some leaders of the unbanned organizations found themselves facing charges brought against them by the régime, using laws such as those I have just cited.

Thus, four out of five pre-conditions are still to be met. A large number of political prisoners and detainees are still in prison. By most accounts, about 3,000 political prisoners and detainees are still languishing in apartheid gaols. The régime has still not granted the amnesty necessary to allow the return of exiles, which means that a substantial number of political refugees are still outside the country. As the talks between the régime and the African National Congress show, the régime is in no hurry to satisfy these pre-conditions. On the contrary, from the account of their talks with the United Nations Team, we get the impression that they regard the African National Congress as having a joint and equal responsibility for the fulfilment of the conditions. This is utterly unacceptable to us, and my delegation calls on the Assembly to reject it.

We welcome the lifting of the state of emergency in most parts of the country. However, its retention in Natal is unacceptable, as the leaders of the majority non-white population have made clear. The existence of violence in the province is no valid reason for the retention of a situation that confers on the security forces excessive powers, which they have been all too eager to use. Besides, as the United Nations Team learned during its visit, far from being an intertribal conflict, the violence in Natal has been aided and abetted by the régime's agents, supporters and collaborators. If the régime is seriously determined to end the violence, all it has to do is talk to its collaborators and put an end to the complicity of its security forces.

(Mr. Nyakyi, United Republic of Tanzania)

Not one of the laws intended to circumscribe political activity has been repealed. All we have in respect of the most draconian of them all -namely, the Internal Security Act - is a promise to review. And, of course, the pillars of apartheid - in the form of the Group Areas Act, the Population Registration Act, the Land Act, the Bantu Education Act, the laws setting up the Tri-Cameral Parliament and the Bantustans - remain intact, as the leaders of the national liberation movement never tire of reminding us.

This failure by the régime to meet the pre-conditions set out in the Declaration must raise grave doubts about its sincerity in the ongoing "talks about talks". Those who remember the Rhodesian experience must know that these talks can go on interminably and then end in the sand. In the case of Rhodesia they founderd on Ian Smith's refusal to concede the principle of majority rule. This is not unlike the position of the Pretoria régime in regard to the ultimate objective of President de Klerk's much-vaunted reforms. He has still not committed himself to the principles set out in paragraph 3 of the Declaration, including, in particular, the goal of a democratic and non-racial South Africa in which, to quote the Declaration,

"all its people shall enjoy common and equal citizenship and nationality"

and

"shall have the right to participate in the Government and administration of the country on the basis of universal, equal suffrage, under a non-racial voters' roll ... in a united and non-fragmented South Africa". (resolution S-16/1, para. 3 (b) and (c))

(Mr. Nyakyi, United Republic of Tanzania)

My delegation does not wish to minimize what has taken place in South Africa during the past eight or nine months, but it is clear that the profound and irreversible changes which the Declaration saw as the only basis for relaxing pressure on the régime have not taken place. Yet there are a few among us who have unilaterally gone ahead to relax sanctions against the Pretoria régime. As if that was not bad enough they have even launched a campaign to persuade others to emulate their example and slacken pressure against the régime. Those actions can be described at best as overzealous, at worst as a violation of their commitment as spelt out in the programme of action in the Declaration, which we all espoused without a single dissenting voice.

Either way, those efforts to reward the South African régime are most unfortunate, first, because it has been clearly shown that the Pretoria régime has not fully complied with the minimum requirements of the Declaration and, secondly, because the idea of rewarding an unrepentant totalitarian régime for measures it has been compelled to take by international pressure against it is repugnant.

The programme of action spelt out in the Declaration asks of each one of us, inter alia, the following three things: first, to step up all-around support for the opponents of apartheid and to campaign internationally in pursuance of that objective; secondly, to use concerted and effective measures, including the full observance by all countries of the mandatory arms embargo, aimed at applying pressure to ensure a speedy end to apartheid; and thirdly, to ensure that the international community does not relax existing measures aimed at encouraging the South African régime to eradicate apartheid until there is clear evidence of profound and irreversible changes, bearing in mind the objectives of the Declaration.

(Mr. Nyakyi, United Republic of Tanzania)

Tanzania believes that such movement as the Pretoria régime has undertaken is in part a direct result of the pressure exerted on it by the international community. There is little evidence to show that it represents a change of heart. The shuffling of feet can and should lead to profound and irreversible change, but only if pressure is maintained. Past experience strongly suggests that premature relaxation of pressure can, and almost certainly will, lead to a standstill or even to a reversal of the small steps already taken.

My delegation holds firmly to the view that the changes we are talking about can be described as profound and irreversible only when all the pillars of apartheid earlier enumerated have been abolished and when a South Africa under a new constitution has been born. At that point Tanzania will be pleased to join with others in welcoming South Africa to the community of nations as an equal and deserving partner, not before.

During his historic address to the world from this rostrum in June of this year, the Deputy President of the African National Congress of South Africa (ANC), Mr. Nelson Mandela, appealed in the following words to the United Nations to work with the struggling people of South Africa for a new South Africa:

> "Let us, by our joint actions, vindicate the purposes for which this Organization was established and create a situation wherein its Charter and the Universal Declaration of Human Rights will become part of the body of law on which will be based the political and social order of a new South Africa. Our common victory is assured." (A/44/960, annex VI)

Tanzania echoes and commends that message to the world through this body.

Mr. McLEAN (Canada): As this Assembly considers progress since last December's historic consensus Declaration on Apartheid, the Secretary-General's report and his introductory remarks to us provide a worthy focus for our

(Mr. McLean, Canada)

deliberations today. Along with other delegations, we are pleased that General Garba continues to guide our deliberations, and we hope he will end his term as President of the General Assembly with a further consensus on this item.

We live in a world greatly changed from the one we knew as the special session on apartheid closed in December. In Eastern Europe, Central America, Namibia and elsewhere, people have accepted the challenge of fundamental change, with its risks as well as its promise. In South Africa too a new era seems at last within reach. Nelson Mandela is free. The obstacles to peaceful negotiations for which South Africans have fought so long are being removed. We fervently hope that the final chapter in the history of apartheid in South Africa is at last being written.

In December there was little indication that such dramatic changes in attitude and atmosphere could have occurred so quickly. Members will recall that in the Declaration on Apartheid and its Destructive Consequences in Southern Africa we called for: the release of detainees and political prisoners; the unbanning of organizations and persons; the removal of troops from the townships; the end of the state of emergency and the repeal of the Internal Security Act; and the end of political trials and executions.

Today, many, indeed most, of these measures are being achieved. A positive climate for negotiations is being established. We are all heartened by the substantial progress that has been recorded in the Groote Schuur and Pretoria minutes. Nevertheless, it is evident, as the Secretary-General's report and other speakers have emphasized, that a good deal remains to be done.

No one, however, should underestimate the difficulties that still lie ahead. Despite the improvements, we cannot forget that for the vast majority of South Africans there has been little tangible benefit. The pillars of apartheid still stand. They are cemented in law. But we look forward to next month and the repeal

(Mr. McLean, Canada)

of the Separate Amenities Act. We encourage President De Klerk to act quickly on his promise to do away with the Group Areas Act and the present Land Acts. Such actions will do much to convince the world that irreversible change is in sight.

Further difficulties also remain. Both President De Klerk and Nelson Mandela are committed, as we know, to peaceful negotiations, but ensuring peace has not been easy in turbulent South Africa. The tragic violence in Natal and recently in Witwatersrand calls for imaginative, committed action by all parties and by the Government. They must search out new solutions in a spirit of dialogue, tolerance and impartiality. Otherwise, continued violence will become a serious impediment to successful negotiations. It could even unravel the gains achieved thus far.

The formal constitutional negotiations themselves will not be easy. Important differences remain. They are deeply rooted in different understandings of basic concepts and principles of democracy and equality.

(Mr. McLean, Canada)

Who will participate in the negotiations? How will their outcome be ratified? These are matters for South Africans themselves to resolve in their determination to forge ahead. We hope the process will be open to all parties who wish to contribute. We hope the result will be submitted to the verdict of all South Africans.

We take heart from the recent Namibian experience. It showed us that fundamental change can take place peacefully. The Canadian Parliament and people celebrated that victory of the United Nations. The result is a constitution that entrenches human rights and effective democracy. During my five visits to Namibia - visits with Canadians and with members of the United Nations family - I saw, as many here did, how much could be accomplished when the entire Namibian people, supported by the international community, worked together for that reconciliation. I look hopefully at the signs that South Africa has set out on the trail blazed for it by neighbouring Namibia.

This new period of transition poses great challenges not only to South Africa but also to the international community. In December we reached a consensus that sanctions should not be relaxed until there was clear evidence of profound and irreversible change. The Commonwealth can justly claim a measure of leadership, both in helping shape that consensus last fall in Kuala Lumpur and in upholding it this spring in Abuja.

Sanctions have clearly worked in bringing the South African Government to the negotiating table. Prime Minister Mulroney pledged in Parliament to Nelson Mandela, when he visited Canada in June, saying that

"The way to advance the process of democracy in South Africa is to maintain the existing economic sanctions."

(Mr. McLean, Canada)

Yes, they are a blunt instrument hurting all South Africans, but there has been no other way to impress upon Pretoria the urgent and serious need for fundamental change. With the recent rapid progress in South Africa, we anticipate that the time is not far off when sanctions can be lifted, but it is not here yet.

Canada's Prime Minister also told Nelson Mandela:

"The fight against apartheid has long been a central element of Canada's foreign policy, both because the cause is so compelling and because we believe this is one of those issues where Canada can make a difference."

At this important moment in history, we believe it is an even greater priority to reach into South Africa and help those preparing for a post-apartheid society. Canada is providing $1.8 million this year through the Canadian Fund for the Promotion of Dialogue and Negotiations. That fund encourages discussion and mutual understanding. Scores of projects have already been funded promoting dialogue among South Africans who are working towards a non-racial democratic future. This year, increased emphasis is being given to projects that directly assist the process of negotiations and help level the playing field. Such a project is the provision of constitutional expertise. Special attention is also being given to funding for conferences on issues and options for post-apartheid South Africa. At the same time, we are making an effort to encourage Afrikaners and other white South Africans to accept the necessity of change and to participate in building a country of which all may be proud. In 1991 we plan to increase the fund to $2.3 million.

The ultimate success, of course, will be a non-racial South Africa. This success, however, will depend on the capacity of both blacks and whites to exercise not only political but intellectual and economic power. The woeful statistics on the number of blacks with various specialized skills tell us that a much greater

(Mr. McLean, Canada)

effort on training is already long overdue. For example, there are 35 black chartered accountants out of a black population of an estimated 28 million, just over 1 black chartered accountant per million population. There are 10 times as many white university students as black in relation to population: 30 per thousand versus 3 per thousand. And even the cumulative total of all blacks with post-secondary education is still only 24 per thousand of the adult population. Accordingly, Canada has further expanded its education and training programmes by $1 million this year, in addition to the more than $8 million we already spend on a range of education, training and community development programmes.

During Nelson Mandela's visit to Canada, Prime Minister Mulroney pledged $5.8 million to help with the repatriation of political exiles and the resettlement of returned exiles and released political prisoners. Those funds will be provided through qualified international and voluntary agencies, including the Office of the United Nations High Commissioner for Refugees (UNHCR) and the churches. The funds will benefit all returnees and former prisoners regardless of political affiliation. The peaceful and smooth reintegration of these people will enhance the pool of skills, commitment and human resources that will be vital to build a strong and united non-racial South Africa.

What contribution can the Assembly make to advancing the delicate process now under way in South Africa? Let us remember the genuine efforts made by all sides to achieve the historic consensus last December. Let us look at the promise of a bright future now dawning for South Africa rather than at the dark night of apartheid. Let us dare to believe that our long-held shared aspirations for South Africa are finally within reach.

In acknowledging that much remains to be done to replace apartheid with a non-racial democracy, we can recognize the substantial progress achieved thus far in removing obstacles. Surely we must be as sensitive and generous in encouraging

(Mr. McLean, Canada)

the process of change as Nelson Mandela, President De Klerk and their colleagues have been in leading it.

The way has now been opened by the Pretoria minute for the early return of thousands of South African exiles. We can help bring that about. We can authorize the UNHCR to exercise its mandate inside South Africa. We can request the South African Government to extend its full co-operation. We can appeal to the international community for financial support.

We must reaffirm our commitment to maintaining sanctions until there is evidence of clear and irreversible change. At that time we can begin to look ahead. But we do not need to wait: we can look ahead at the same time as we are maintaining sanctions. How will we proceed when sanctions are no longer necessary? When the time comes, and we hope it is not far off, the economic and financial measures which form the centre-piece of international pressure must be eased to help build the new South Africa.

(Mr. McLean, Canada)

The international community eventually will have to do more than remove its own obstacles. It will have to facilitate the re-emergence of a new South Africa. Nearly a year ago Commonwealth Heads of Government suggested that international financial institutions, including the International Monetary Fund, examine how resources might be mobilized for post-apartheid South Africa. The time has come. Let the international institutions, inside and outside the United Nations umbrella, present a co-ordinated strategy for support of a new and democratic South Africa.

South Africa's neighbours too have a contribution to make. Canada believes that they can prepare to integrate the country into their successful regional institutions. The Southern African Development Co-ordination Conference (SADCC), in particular, is right to think ahead. The challenge before SADCC is to shift from reducing dependence to building a new and genuine interdependence.

South Africa's future hangs in the balance. Shakespeare said:

"There is a tide in the affairs of men
Which, taken at the flood, leads on to fortune;
Omitted, all the voyage of their life
Is bound in shallows and in miseries." (Julius Caesar, IV, iii, 217)

Let us hope that the spring tide now running strongly in South Africa will indeed lead on to its fortune.

Let us do all that we can to ensure that it does, so that the day may soon come when we stand to welcome it back to the General Assembly of the United Nations.

Mr. RANA (Nepal): The General Assembly is meeting to consider once again an item that has been at the forefront of its agenda for over four decades now: the policies of apartheid of the Government of South Africa. The continuing efforts of the international community to eradicate apartheid through peaceful

(Mr. Rana, Nepal)

means are well expressed in the Declaration adopted by consensus at the sixteenth special session. The Declaration, while providing a strong moral and political support for the struggle of the majority people for justice, liberty and equality in South Africa, also contains a concrete programme of action. The factual report of the Secretary-General on the implementation of the Declaration, which is now before the Assembly, provides an important basis for further action by the United Nations to help in bringing about an early dismantling of that abhorrent system.

There have been some positive developments in South Afrifa since the adoption of the Declaration in December last year. The release of Mr. Nelson Mandela and other leaders of the national liberation movements, the unbanning of political organizations and a significant lifting of the state of emergency are steps in the right direction.

My delegation welcomes the opening of dialogue between leaders of the liberation movements and the Government. Welcome though those developments are, we cannot forget that the system of apartheid is still in place. The profound and irreversible changes envisioned in the Declaration remain a distant goal. As Mr. Nelson Mandela reminded us in his historic address at the special meeting organized by the Special Committee against Apartheid, nothing that has happened in South Africa thus far calls for a revision of the principled position that the Organization has taken in its fight against apartheid. My delegation strongly believes that there should be no relaxation of existing measures to isolate the racist régime until the process towards dismantling apartheid becomes irreversible. Any premature concession would not only damage the historic consensus we now have but would also send a wrong signal to the minority Government. Unified and sustained pressure alone will force the apartheid régime to fulfil conditions clearly stated in the Declaration in order to create a climate for genuine negotiations.

(Mr. Rana, Nepal)

The Declaration recognized the inevitable linkage between an atmosphere of violence and progress towards negotiations. The heavy toll in violence in Natal is symptomatic of the pervasive violence that apartheid stands for. A major factor in this tragedy is the Government's unwillingness to discipline its security forces and its vigilant avoidance of doing so. Unless the Government takes effective steps to restore law and order, we will continue to have serious doubts about its commitment to continuing dialogue for the establishment of a multiracial democratic society in South Africa.

I wish to take this opportunity to pay a tribute to the heroic men, women and children of South Africa who have been waging a relentless struggle for the establishment of a non-racial, democratic society in South Africa. We pay a tribute to a leader like Nelson Mandela, who has demonstrated uncommon humanism and qualities of statesmanship, qualities that will be required in the challenging days ahead in South Africa.

I wish to place on record the deep appreciation of my delegation for the valuable work being done by the Special Committee against Apartheid in mobilizing and effectively co-ordinating the international struggle against apartheid.

Allow me before concluding to express our deep appreciation to Major General Joseph Garba for his effective leadership of our deliberations at the forty-fourth session and various special sessions of the General Assembly. The adoption by consensus of the Declaration on Apartheid and its Destructive Consequences for Southern Africa at the sixteenth special session stands as eloquent testimony to his personal commitment to the struggle against apartheid. It is therefore fitting that his presidency of the Assembly should end with a renewed expression of unity and determination to eradicate apartheid, a cause that has remained as close to his heart as it has to ours.

Mr. WILENSKI (Australia): At the sixteenth special session of the General Assembly last December the entire United Nations community spoke with a single voice to condemn the continuing injustice of the system of apartheid in South Africa, to call for its total elimination and to call for the creation of a South Africa transformed into a united, democratic and non-racial country with justice and security for all its citizens.

(Mr. Wilenski, Australia)

We meet again now to consider the report of the Secretary-General and the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa adopted at the sixteenth special session. In the light of recent developments it is timely that we take stock and also that we reaffirm our continuing international commitment to the complete elimination of apartheid.

In the report that is now before us the Secretary-General notes that he has been greatly encouraged by the positive developments that have taken place since the beginning of this year in South Africa and that the distinct possibility has at last been opened up for real change and for the dismantling of the apartheid system. The Australian Government too recognizes that significant reform is under way and that a significant shift is taking place in South African Government policy that holds a promise for a new era.

The release of a number of political prisoners, including Nelson Mandela, the lifting of bans on the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other political parties and movements, the partial lifting of the state of emergency and other measures have offered hope and encouragement for a brighter future. We have also seen the beginnings of talks between the South African Government and the ANC, and we welcome the agreement reached between representatives of those two sides on 6 August - the Pretoria minute - in which the South African Government agreed, among other things, to deadlines for the release of political prisoners and the return of exiles, while the ANC agreed to the suspension, with immediate effect, of armed actions. In the Australian Government's view the Pretoria minute represents a significant step forward in the process of peaceful constitutional change in South Africa.

(Mr. Wilenski, Australia)

But while those agreements are a significant step, they are only the beginning of a process and not its end. The Secretary-General noted in his report that the information gathered by the United Nations team that visited South Africa in June showed that the political process of dismantling the apartheid system was still at an early stage. Indeed, for that very reason the report, as the Secretary-General points out, does not comment in detail on some of the major issues covered by the Declaration.

The progress achieved so far is to be welcomed, but it does not yet represent the clear and irreversible change that the international community has demanded in South Africa. Much more must be done in order for the promises that have been made already - and the others that must be made - to be fulfilled. The Australian Government urges President De Klerk to act speedily on his commitments and to maintain the momentum for reform by removing, as soon as possible, all the remaining legislative pillars of apartheid, particularly the Group Areas Act, the Land Acts and the Population Registration Act.

We see too the very tragic cycle of violence in Natal and in the townships around Johannesburg in recent weeks, the imposition of a quasi state of emergency in parts of Transvaal and the increasing militancy of the extreme right, and we increasingly hear, too, reports of a lack of impartiality in the role that the South African security forces have taken in this. The Secretary-General's report refers to the urgent need for the requirement to end the violence to be addressed at the highest level, and he warns of the consequences if the violence should continue unrestrained. The Australian Government joins the appeal for all parties to do whatever is necessary to end the violence and to work together to build a peaceful South Africa.

(Mr. Wilenski, Australia)

The bloodshed in the townships cannot be divorced from the policies of apartheid, the homelands policies, the migrant-labour system, the vast differentials in the provision of the most basic services such as education, health and housing. As the Secretary-General's report notes, the United Nations team's report illustrates all too vividly the grave social injustices inflicted by apartheid on the black population of South Africa.

The Australian Government joins in encouraging measures aimed at redressing the social and economic imbalances, particularly in the areas of housing, education, employment and health, identified in the report as measures that would go a long way towards addressing effectively the glaring inequities and towards instilling public confidence in the democratic process and in national institutions.

It is clear that the time for the international community to relax its vigilance has not yet come. It is now as important as ever for the international community to continue to speak with a single voice in welcoming the first steps towards change and in continuing to demand, as it has now for 40 years, the long-overdue abolition of the oppressive system of apartheid.

The Australian Government believes too that the strict measures imposed by the international community against South Africa have played a central role in bringing about change in South Africa. In May of this year a meeting of the Commonwealth Foreign Ministers Committee on South Africa, of which Australia is a member, meeting in Abuja, agreed that, on the evidence before it, the way to advance the process of normalization and democratization in South Africa was to maintain intact the full range of sanctions now applying. It agreed that to reduce that pressure before the necessary changes of substance have occurred would be to run a very grave risk of aborting the process. The Australian Government is completely committed to that policy pursued by the Commonwealth.

(Mr. Wilenski, Australia)

The time has not yet come to relax sanctions pressure on South Africa. Only when the actions of the South African Government lead to clear and irreversible change, only when significant progress is made towards the complete dismantling of apartheid, can the international community contemplate a change in its approach. We wait for the day when the people of South Africa themselves ask us to relax and lift the sanctions now being undertaken. That day, we hope, is coming very much closer. But it has not yet arrived.

Mr. BYKOV (Union of Soviet Socialist Republics)(interpretation from Russian): By its unanimous adoption of the Declaration on Apartheid and its Destructive Consequences in Southern Africa the General Assembly at its sixteenth special session expressed the common position of the international community in favour of a peaceful solution to the problems of South Africa and in favour of the earliest possible elimination of apartheid by political means through negotiations.

The decisions taken at the sixteenth special session are so important that they deserve to be viewed as a milestone on the road towards the elimination of apartheid. The comprehensive programme of action contained in the Declaration is oriented towards practical actions to dismantle the system of apartheid and to turn South Africa into a democratic, non-racial State.

(Mr. Bykov, USSR)

The consensus reached at the session was possible because of the influence of the profound positive changes occurring in the world. It reflects the growing commitment of the international community to the principles of the new political thinking asserting the primacy of common universal values leading to democratization and de-idealization of international relations and favouring the search for peaceful solutions to conflicts and problems on the basis of the balance of interests of all States.

In the southern African region, where only recently the situation had seemed intractable, major fundamental changes are occurring and there are tangible signs of the new political thinking. What has become clear is the danger and futility of coercive military methods of determining relations between States or different political forces. Real possibilities have emerged of dismantling the system of apartheid in South Africa by peaceful means through productive negotiations between the Government and the opposition. There has been a substantial improvement in the situation because of the successful resolution of the Namibian problem and the emergence of an independent democratic Namibia.

The bringing about of a settlement in Namibia has convincingly demonstrated the effectiveness of political, peaceful means and the enhanced role of the United Nations, and is an encouraging example for the process of dialogue for the future of South Africa.

The evil of the policy and practice of apartheid is limitless, as are its victims and the suffering it has brought and continues to bring to the people. It has been quite properly described as a crime against the conscience and dignity of mankind. The system of apartheid in South Africa is the prime cause and a breeding ground for conflict in southern Africa, and unless it is eliminated there can be no normalization of the situation in the area.

(Mr. Bykov, USSR)

The report of the Secretary-General on the progress achieved in the implementation of the Declaration, now before the Assembly, shows that there has begun in South Africa a process of eliminating apartheid by means of negotiation and that there has been visible progress in creating a climate for the conducting of free negotiations.

I should like to take this opportunity to express my gratitude to the Secretary-General for his efforts, which we support, and for his detailed report.

Mention should be made of the positive steps that have been taken in particular with the lifting of the ban on activities of political parties and movements in South Africa. It is difficult to exaggerate the importance of the meetings of delegations of the African National Congress of South Africa (ANC) headed by Nelson Mandela and the delegation of the South African Government headed by President De Klerk held in Cape Town and Pretoria in May and August this year.

We are highly appreciative of the role of the ANC in the negotiating process now under way in South Africa. The positive changes which can now be discerned in South Africa did not come about by themselves: they were the result of many years of mass popular movement against the system of apartheid, a selfless struggle by democratic forces led by the ANC and the work of the front-line and other African States and the whole international community.

All of this finally compelled Pretoria to recognize the futility of clinging to the doomed system of racial discrimination and to understand the need for fundamental change.

The negotiating process in South Africa is beginning to take concrete shape. What is important is that South Africans sitting on both sides of the negotiating table should be capable of overcoming their prejudices and finding a common language. The first steps have been taken but, as we know, in all important endeavours the hardest thing is making a start.

(Mr. Bykov, USSR)

The Government of South Africa must without delay implement all the measures provided for in the Declaration for creating the necessary climate for negotiations aimed at dismantling the system of apartheid and creating a democratic State. We have long known that as the embodiment of violence the system of apartheid only exists thanks to violence. The direct link between a violence-free atmosphere and the negotiating process is clearly mentioned in the Declaration on Apartheid.

The Secretary-General referred to the concern of many organizations in South Africa over the violence and intimidation by extreme right-wing circles which have created obstacles to the process of improving the present climate. It is clear that the Government of South Africa must take the necessary steps to prevent manifestations of violence.

While giving due credit to certain recent positive changes in South Africa, we should at the same time stress that at the present stage it would be premature to raise the question of repealing sanctions and easing external pressure on Pretoria.

A great deal still remains to be done to eliminate the conflict situation in the southern African region and to eliminate the destructive consequences of the policy of destabilization and aggression by South Africa. Much here depends on the conduct of the Government of South Africa. The path to peace in that area, and indeed in other hot points over the globe, passes through mutual understanding and co-operation. The task of eliminating apartheid and turning South Africa into a democratic non-racial State requires the further building up and consolidation of the efforts of the whole international community and the fullest possible activation of existing international machinery and the peacemaking potential of the United Nations.

The consensus achieved in the Declaration on Apartheid and its Destructive Consequences in Southern Africa have become a valuable collective accomplishment

(Mr. Bykov, USSR)

that must of course be preserved and built upon. The important thing is that the practical policies of all States towards South Africa must accord with that document.

The position of the Soviet Union, which firmly opposes the policy of apartheid, is well-known. Our support for those who oppose this evil is unswerving and founded on principle. The Soviet Union supports United Nations decisions in this area. It complies with the sanctions laid down by the United Nations and consistently supports all efforts designed to bring about the early elimination of apartheid. This is a policy which the Soviet Union intends to pursue in the future.

The process of dismantling the system of apartheid is not likely to be simple or easy. Many obstacles will have to be overome. Of course both sides must show political restraint and realism, goodwill and the capacity to make sensible compromise. There must be constant energetic efforts - including within the framework of the United Nations - to build in every possible way on the process that has begun and to achieve as soon as possible the goal in view - the total elimination of the apartheid system.

As for the Soviet Union, I can assure the Assembly that those forces working for democratic change in South Africa can always count on our active support.

Mr. WALKER (Jamaica): Jamaica welcomes this opportunity to discuss the report of the Secretary-General on progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, particularly at a time when discussions are also taking place in South Africa which seem to be setting the stage, we very much hope, for the eventual dismantlement of the evil system of apartheid.

We would first wish to thank the Secretary-General, Mr. Perez de Cuellar, for the initiatives taken in carrying out the mandate entrusted to him by the General Assembly in the manner which has earned him accolades for the role he continues to play in raising the credibility and prestige of this Organization as a promoter of peace and security worldwide. We appreciate his efforts to make the report as factual as possible.

The convening of the sixteenth special session of the General Assembly was an historic occasion. Not only did we obtain the full participation of the international community, but we were also successful in adopting by consensus the Declaration on Apartheid and its Destructive Consequences, which sent a clear and unambiguous signal to Pretoria of the unified position of the international community on the urgent and crucial need for a negotiated end to apartheid. We are encouraged by the initial steps taken by the Pretoria regime to improve the internal political atmosphere which began with the long-awaited release from prison of Mr. Nelson Mandela and the unbanning of the African National Congress of South Africa (ANC), the Pan Africanist Congress of Azania (PAC) and other political organizations.

We welcome the continuing discussions between the Government and the ANC. The first, held in Cape Town, started the process of negotiations with the establishment of a working group to address the issue of the release of political prisoners and the granting of immunity in respect of political offences to those

(Mr. Walker, Jamaica)

inside and outside of South Africa. Those talks were further advanced more recently when both sides reached agreement on certain commitments in the Pretoria Minute, which signals that the way is now open to proceed towards negotiations on a new constitution. Jamaica certainly hopes that this positive trend will be further enhanced. What we would ultimately wish to see as the outcome of the negotiations is the establishment of a just, democratic and non-racial society in South Africa.

The Pretoria Minute commits the South African Government to reviewing and repealing security legislation and to releasing several categories of political prisoners by the end of April 1991. Certainly these are welcome announcements, but as they do not take immediate effect we should vigilantly monitor the situation to try and ensure the full implementation of those provisions. Thousands of political prisoners continue to languish in prison because they dared to challenge a system which restricted their movements and opportunities by virtue of race. The release of political prisoners and detainees, one of the measures required by the Declaration for the creation of a climate for free political activity, appears to be a contentious issue as revealed in the Secretary-General's report. It therefore remains to be seen whether this measure will be implemented within the scheduled time-frame and in a manner which will not obstruct the process of negotiations.

The announcement by the ANC that it was suspending all armed actions with immediate effect must be viewed as a demonstration of the commitment of its members to ensure a speedy movement towards the abolition of the apartheid system, as stated by Mr. Mandela in his moving and historic address to the special meeting of the Special Committee against Apartheid in this Hall.

The reported harsh and repressive tactics used by the South African police against those engaged in anti-apartheid activities and the unwillingness on the part of the Government to take firm action against police indiscipline and to deal with the violence in Natal and elsewhere in an impartial fashion are causes for

(Mr. Walker, Jamaica)

grave concern. These issues must also be tackled decisively before progress towards creating a climate conducive to negotiations can be achieved.

As I pointed out in the debate at the sixteenth special session, basic racist institutions and legislation remain in force as grim features of the apartheid system. The segregated parliament, the Separate Amenities and Group Areas Act and the Population Registration Act, which constitute the pillars of apartheid, serve to entrench racial discrimination and are therefore at the very heart of the ongoing political crisis in South Africa. Unless and until the pillars of apartheid are removed, racial discrimination will continue to divide the nation and the majority of its people will continue to be denied human rights and social justice.

Turning specifically to the report under consideration in which these concerns are also highlighted, we note that of the measures required by the Declaration, only the measure relating to the lifting of the ban on political parties and movements has been implemented in full thus far, but that their freedom to organize freely is still restricted. The responses of the Government reflected in the report give the impression that considerable progress has been made, but it is clear that many organizations do not share that view and that much remains to be done, including the repeal of the Internal Security Act and the complete lifting of the state of emergency.

(Mr. Walker, Jamaica)

While recognizing the encouraging signs in the ongoing negotiations devoted to dismantling the system of apartheid, we should continue to press for the implementation of all measures in their totality.

The report also reveals the grave social and economic inequalities created by apartheid which must be addressed urgently if the process towards creating a new and free South Africa is to be pursued successfully. The educational crisis faced by the black population as a result of racist policies is understandably a major concern for all parties, organizations and professional groups, as reported by the team. Similarly, the inadequacy of health care services, housing and land facilities and the existence of regressive labour legislation require immediate attention.

Notwithstanding recent developments which, if followed through, should contribute to the process of abolishing the abhorrent system of apartheid, the Government of Jamaica still holds the view that concerted international pressures and sanctions must be maintained against the Pretoria régime until its racist policies are completely dismantled. We note with regret that some countries have started or are considering lifting sanctions. The time has not yet come for the easing or lifting of sanctions against Pretoria since clear, profound and irreversible changes have not yet occurred. The consensus achieved at the sixteenth special session should not be allowed to unravel and we should continue our unanimous and concerted response to a system which this Organization has rightly condemned and outlawed as a crime against humanity. We must make Pretoria understand that permanent peace and stability in southern Africa can be achieved only when the system of apartheid has been eradicated and South Africa has been transformed into a united, democratic and non-racial country.

Mr. HAJNOCZI (Austria): The Declaration on Apartheid and its Destructive Consequences in Southern Africa, adopted at the sixteenth special session last

(Mr. Hajnoczi, Austria)

December without a vote, was a vital contribution by the international community towards fostering, deepening and accelerating the then incipient process aimed at the end of apartheid through negotiations. The Declaration did not only demonstrate the unequivocal and universal condemnation of the system of apartheid but also charted the course to a democratic, united and non-racial South Africa.

It is timely and important to examine now after several months how far we have come along this course. Even though Member States can take stock of developments in South Africa individually or in groups, a report of the United Nations carries particular weight. Therefore Austria welcomes the multifaceted and thorough way in which this comprehensive report was elaborated. I want to thank the Secretary-General and his highly competent staff for this informative and balanced report.

The report rightly concludes that South Africa has reached the threshold of a new era. Indeed, since the adoption of the Declaration we can observe a number of important signals and measures: the unbanning of political organizations and movements against apartheid; the release of Nelson Mandela, whose great courage, perseverance and forbearance are recognized world wide, and of other leading political prisoners; a general commitment by President De Klerk to abolish apartheid; the repeal of the Separate Amenities Act; and the lifting of the state of emergency in three of four provinces.

Without underestimating these significant steps in the right direction, the most promising achievement lies, in our view, in the beginning of a dialogue between the Government and the African National Congress of South Africa (ANC) that is based on a common commitment to a peaceful process of negotiations. Austria welcomes the substantial outcome of the talks held at Cape Town in May and at Pretoria in August. Firmly convinced that change has to be brought about by peaceful means, we attach particular importance to the suspension of all armed

(Mr. Hajnoczi, Austria)

actions by the ANC and the recognition of the necessity for reviewing security legislation and application on a priority basis by the Government. Similarly, the agreement with regard to the release of the political prisoners and the granting of indemnity constitutes significant progress on a central issue. Against this background, the parties to the talks have stated that the way is now open to proceed towards negotiations on a new constitution. We believe that these talks and their results can be seen as milestones on the road to true peace and prosperity for South Africa.

This road is certainly a long and steep one. Still, there are many obstacles on the right path that must be surmounted. Although we commend the positive measures taken so far, we do not forget for a moment that the so-called pillars of apartheid and the social and economic inequities continue to exist.

Politically related violence has even increased in South Africa recently. We agree with the Secretary-General that

> "fundamental change in any society often creates uncertainty, anxiety and even fear. These emotions should not be underestimated, particularly in a country of vast inequities, such as South Africa".

There are still some circles that wish to cling to the system of apartheid and desperately try to turn back the clock by any means, including terrorism.

Equally undermining the confidence-building process in the country, the continuing violence in black townships, which has spread from Natal, has resulted in the deaths of large numbers of persons and caused much human suffering. When we analyse this most distressing phenomenon we soon see the common denominator of these incidents, namely, that the fighting centres on the hostels for migrant workers who, owing to the homeland policy and migrant labour system, have to earn their salaries living separated from their families and often under inhumane conditions. We appeal to all relevant political forces in South Africa to do their

(Mr. Hajnoczi, Austria)

utmost to defuse the underlying tensions and use their influence to stop the fighting. We are concerned at reports that in some cases security forces have been found supporting one side against the other.

In our stock-taking we have concluded that on the one hand considerable progress towards change should be acknowledged, whereas on the other hand obstacles to the accomplishment of fundamental change still persist. Therefore Austria is convinced that it is appropriate to maintain its sanctions at this stage.

However, Austria looks forward to further progress towards a democratic, united and non-racial South Africa and appeals to all parties to continue to follow the course charted by the Declaration adopted last December.

Mr. MOORE (United States of America): The United States is pleased to participate in the debate today, and we wish to thank the Secretariat for all the work that went into preparing the Secretary-General's report on the policies of apartheid of the Government of South Africa.

The Secretary-General's report, issued in July as required by the text of the December 1989 consensus Declaration on Apartheid and its Destructive Consequences in Southern Africa, is a comprehensive and useful document, and a testament to the careful research that went into its preparation. By seeking to record accurately a wide range of opinion on the problems associated with creating the proper conditions for negotiations to end apartheid, the Secretary-General's report has in fact contributed to that goal.

It is a long-standing United States conviction that apartheid must be dismantled and that the people of South Africa, working together, can find a genuine and peaceful solution to their problems. The United States has sought to hasten the end of apartheid through the application of appropriate political and diplomatic measures. We have clearly enunciated the principles and objectives of our approach to South Africa. United States policy is based on unequivocal opposition to apartheid and a commitment to promote negotiations between the South African Government and representative black leaders, aimed at achieving a non-racial and democratic South African society. We totally reject South Africa's system of race-based and minority rule. So long as that system endures, our relations with the South African Government will not be normal. We believe in the right of all the people of South Africa to determine their own destiny and to work out for themselves the constitution and the system of government under which they will live. The United States will continue to associate itself with the just aspirations of the non-white majority, to assist though the programme of our Agency

(Mr. Moore, United States)

for International Development (AID) in meeting their most pressing needs, and to deepen the level of our contacts with the black opposition.

We continue to believe that a new era of negotiation and peaceful change in South Africa is possible, with the goal of creating a democratic, non-racial Government, and we strongly support the process of peaceful change and negotiations that has already gotten under way during the past year. I have in mind such fundamental changes as the release of many political prisoners including Nelson Mandela, the unbanning of political organizations, the suspension of armed struggle by the African National Congress of South Africa (ANC), the willingness of both the Government and the ANC to participate in talks aimed at opening the way to negotiations, and the commitment of the Government to abolish the apartheid system and create a democratic, non-racial South Africa. It is the people of South Africa, not outside parties, who must decide the form and pace and determine the outcome of negotiations for a better and truly equitable future.

So let us build on our shared conviction that negotiation is the best road to a resolution of the great problems of South Africa. We can be very proud that last December all the Members of the United Nations joined consensus against apartheid. Let us carry this spirit of co-operation and progress with us in this session. We should seek now, as well as during our coming debates during the forty-fifth session, to join again in consensus, urging a peaceful, negotiated end to apartheid.

Mrs. AMATHILA (Namibia): The Assembly is at present reviewing the situation in South Africa since the Assembly's adoption at its sixteenth special session of the Declaration on Apartheid and its Destructive Consequences in Southern Africa. In keeping with one of the provisions of the Declaration, the Secretary-General sent a team to South Africa, on whose findings he based the report he presented to the Assembly in July.

(Mrs. Amathila, Namibia)

My Government attaches special importance to the present meetings. We trust that, under the able guidance of Major General Garba and with his renowned commitment to the eradication of apartheid, the debate will come to a successful conclusion.

In recent months, since the adoption of the Declaration, a number of significant events have taken place in South Africa. Among those actions are the release of some political prisoners including Nelson Mandela and the unbanning of political organizations. While agreeing that such steps are indeed important in our pursuit of a peaceful solution to the problem of apartheid, we consider that these and other actions taken so far by Pretoria still fall short of satisfying the provisions of the Harare and General Assembly Declarations.

In that connection, my Government fully associates itself with the position adopted by the Organization of African Unity's Ad Hoc Committee of Heads of State or Government on Southern Africa at its recent meeting in Kampala.

Regrettably, the situation in South Africa remains unpredictable and explosive. Many of the repressive laws remain intact, such as the Internal Security Act. The state of emergency is still in force in several parts of South Africa and troops are still deployed in townships. Death and destruction continue. A large number of political prisoners are still in gaol while others face prosecution.

My Government is particularly concerned about the current spate of violence, in which, as it has been revealed, elements of the police are involved. This situation, if not contained, poses the threat of undermining the efforts to achieve a peaceful solution of the problem at the root of the conflict, namely apartheid.

We welcome the difficult decision by the leadership of the African National Congress of South Africa (ANC) to declare a cessation of the armed struggle as a

(Mrs. Amathila, Namibia)

gesture of the liberation movement's commitment to a peaceful solution. We urge the Pretoria Government to reciprocate that demonstration of good will, particularly by withdrawing troops from townships and by disciplining the police.

Apartheid as a policy has proven to be expensive in both human and material costs. It has therefore become difficult to justify even by some of its most ardent supporters. The current overtures by Mr. De Klerk's Government, which we welcome, seem to reflect that reality. What we are not certain of is how far Pretoria is willing to go in accepting the demands of the oppressed majority in South Africa and the world community at large for genuine and fundamental change.

The struggle of the people of South Africa on all fronts has made the apartheid institutions unworkable. We salute the fraternal people of that sister country for their courage and their determination to bring about a united, non-racial and democratic society.

(Mrs. Amathila, Namibia)

The international pressure, including sanctions, has complemented the efforts of the oppressed people of South Africa in its desire for human dignity, justice and freedom. We are convinced that it is a combination of those factors that has created conditions for the current initiatives. The international community cannot, at this crucial time, afford to fail the oppressed people of South Africa, which continues to appeal that such measures be maintained until apartheid has been eradicated.

As a neighbour of South Africa, and a people whose struggle has been so inextricably linked with that of the people of that sister country, I would like to make it absolutely clear that the Government of the Republic of Namibia is in favour of every effort to find a peaceful solution. His Excellency Dr. Sam Nujoma, President of the Republic of Namibia, has stated on more than one occasion that Namibia stands ready to facilitate such a process, should that be found helpful by the parties to the conflict.

It is our conviction that an end to apartheid and the establishment of a democratic society in South Africa will inevitably change the existing tense situation in our region. The peoples of southern Africa deserve peace.

My Government hopes that the current negotiations between the African National Congress of South Africa (ANC) and Mr. De Klerk's Government will progress to the desired level, namely, to serious discussion and agreement on the new constitutional dispensation that will allow all the people of South Africa, regardless of their race, creed or colour, to participate fully in the affairs of their country.

Until such a time arises, we believe that the existing pressure, including sanctions, must be maintained as a catalyst for the necessary changes. The long and often frustrating negotiation process on the implementation of United Nations

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Security Council resolution 435 (1978) in our country taught us not to take anything for granted.

We therefore urge the Assembly and the international community at large to remain actively seized of the situation in South Africa with a view to finding a lasting solution.

Mr. CISTERNAS (Chile) (interpretation from Spanish): At the outset, I should like to express the pleasure of the Chilean delegation at seeing Mr. Garba once again directing our work. His well known capacities as a skilled diplomat, his experience and knowledge of the subject we are dealing with, and the fact that he is a citizen of Nigeria, a country that has distinguished itself in the struggle against apartheid, are a sure pledge of excellent results from our debates.

I should also like particularly to pay a tribute to our Secretary-General, Mr. Javier Pérez de Cuéllar, who once again has admirably discharged the task entrusted to him by the General Assembly with regard to the item before us. The report he has presented to us, contained in document A/44/960 and addenda 1 and 2 and concerning the progress made in the implementation of the Declaration on Apartheid and its Destructive Consequences in Southern Africa, highlights the intense efforts that have been made and the excellent work that has been done.

Democratic Chile could not but be present at a debate of such importance as that to which we are today giving our attention, on the subject of the policy of apartheid of the Government of South Africa. I need only recall that consideration of the subject by the General Assembly began at the same time as the inception of the United Nations. The characteristics of that particularly hateful system of racial discrimination and its adverse political, social and economic impact on millions of human beings in southern Africa explain the importance that the international community has attached to its consideration and analysis, as well as

(Mr. Cisternas, Chile)

the constant and consistent struggle that that community has been waging for 35 years to eliminate such inhuman State practices and policies.

It is quite understandable therefore that in December last year the States Members of the United Nations felt that it was necessary to hold a special session of the General Assembly, the sixteenth, with the aim of adopting a declaration that would set decisive parameters for the definitive achievement of the elimination of apartheid from the face of the earth. That Declaration, adopted by a special and happy consensus, stressed the measures that the South African Government would eventually have to take to resolve that urgent human problem.

The report which the Secretary-General has presented to us today gives us a hopeful view of the events that have taken place in South Africa recently with the aim of finding an understanding between the Government of that country and the South African black majority represented by its leaders, chief among whom is the outstanding figure of Nelson Mandela. We cannot but appreciate and express due satisfaction at the steps that have been taken by President De Klerk and Mr. Mandela to meet and hold talks and agree on fundamental and indispensable principles that will make it possible for them to begin serious and broadranging negotiations on the establishment of a political régime in South Africa that will allow full coexistence in a multiracial society in conditions of total equity, justice and liberty for all members of society - a democratic and non-racial system, in sum, that would guarantee that the black majority could emerge from its marginal status and unjust exploitation and enable it to achieve standards of living fully commensurate with its human status.

Despite the foregoing, the delegation of Chile considers that the steps that have been taken in the right direction are still too timid and insufficient, and that much remains to be done before we can feel sure that the course adopted will not present insuperable obstacles or lead into unacceptable detours.

(Mr. Cisternas, Chile)

In that regard it is necessary to note, as the majority of those who have spoken before me have done, that the Government of South Africa and the political leaders of that country have not yet embarked on the most important and significant stages needed to lead the country to a fully democratic régime. It is unfortunately even more necessary to stress that they have not yet demonstrated the necessary political will vigourously to tackle the work of convincing the white population of the country to accept the establishment of new forms of national coexistence. What is more - and here I must stress this aspect as earlier speakers have done - very little if anything has been done to render null and void those legal instruments which constitute the basis of the policy and practice of apartheid and which are responsible for the fact that the system appears untouched, despite all the efforts put forth against it.

(Mr. Cisternas, Chile)

The delegation of Chile is of the opinion that a clear, unequivocal appeal for the attention of the South African Government and its political leaders should emerge from this meeting, telling them that the Member States of the United Nations and the international community in general will not for any reason accept further delay in the implementation of measures that will lead once and for all to the total elimination of the abhorrent system of apartheid. Apartheid, an institutionalized State policy directed towards the oppression of, and racial discrimination against, a part of the population, is a crime against mankind. It does not admit of mere modification or amendment, but simply requires total elimination.

The meeting rose at 6.40 p.m.